

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF MINNESOTA

3
4 United States of America,) CR 10-159 (DWF/FLN)
5)
6 Plaintiff,) CRIMINAL JURY TRIAL
7) VOLUME III
8 -v-)
9 Barry Vincent Ardolf,) December 17, 2010
10) 9:00 o'clock, a.m.
11 Defendant.) St. Paul, Minnesota

12 BEFORE THE HONORABLE JUDGE DONOVAN W. FRANK

13 UNITED STATES DISTRICT COURT JUDGE

14 CRIMINAL JURY TRIAL PROCEEDINGS

15 VOLUME III

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23 JEANNE M. ANDERSON
24 Registered Merit Reporter
25 Suite 646, 316 North Robert Street
St. Paul, Minnesota 55101
(651) 848-1221

1 APPEARANCES:

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4 FOR THE PLAINTIFF: Timothy C. Rank, Esq.
Laura Provinzino, Esq.
5 Assistant United States Attorneys
Suite 600, 300 South 4th Street
6 Minneapolis, Minnesota 55415
(612) 664-5600
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12 FOR THE DEFENDANT: Seamus R. Mahoney, Esq.
Attorney at Law
13 101 East Fifth Street, Suite 2626
St. Paul, Minnesota 55101
(651) 398-8691
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17 (Defendant present.)
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1 (In open court; jury present.)

2 THE COURT: Are we ready to proceed?

3 MR. MAHONEY: Your Honor, I would like to
4 come up with counsel so we can speak to you on the side
5 for a moment?

6 THE COURT: All right. You can all be
7 seated, if you wish.

8 (Discussion at the bench off the record.)

11 We are going to stand in recess until 9:30.
12 And then I will assume, since I will be in chambers, if
13 there is an issue that I haven't allotted enough time
14 for the recess, then someone will reach me.

15 And then, as I discussed with the lawyers, I
16 have made the necessary arrangements, so Mr. Mahoney, if
17 you would like more privacy to talk to your client, that
18 is being put into motion right now.

19 But, for the rest of the folks in the
20 courtroom, we will convene -- and in the event that for
21 some reason we don't convene around 9:30, I will make
22 some other decision on the record so that it is clear to
23 both people, regardless of what capacity people appear
24 here in, they know where is the trial at, are we
25 proceeding?

1 And so, we will stand in recess until 9:30.
2 And I assume if somebody needs access to me they will
3 have it. And Brenda, you will take care of the other
4 issue?

5 THE CLERK: Yes.

6 (Recess.)

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Certified by: s/ Jeanne M. Anderson

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Jeanne M. Anderson, RMR-RPR
Official Court Reporter

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